Nova Scotia Office of the Ombudsman Annual Report

January 1-March 31 2001-2003

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Nova Scotia Office of the Ombudsman

Annual Report

January 1-March 31 2001-2003

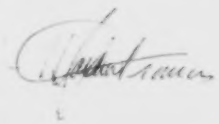
The Honourable Murray Scott
Speaker of the House of Assembly
The Legislative Assembly
Province of Nova Scotia

September 10, 2003

Sir:
In accordance with Section 24(1) of the Ombudsman Act, being Chapter 3 of the Statutes of Nova Scotia 1970-71, I have the pleasure of presenting to you, and through you to the Members of the Legislative Assembly, the Office of the Ombudsman's Annual Report.

This report covers the period of January 1, 2001- March 31, 2003, and reflects a new format for reporting for the Office of the Ombudsman's mandate. I am hopeful that both Members of the Legislative Assembly and the general public will find this information interesting and worthwhile.

Respectfully submitted,



Mayann Francis
Ombudsman

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integrity

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Message from the Ombudsman

Mayann Francis

MY APPOINTMENT AS OMBUDSMAN in December 2000, although seen as an interim measure, still presents many challenges for the Office. Some members of the public have the view that my dual appointment as Ombudsman, and as the Nova Scotia Human Rights Commission's Director and CEO, presents a conflict of interest. Immediately after I was appointed, I sought legal advice. The resulting policy that took effect in March 2001 is designed to minimize conflicts of interest. Copies are available to the public. Staff for both organizations have been briefed on the policy.

Both organizations remain independent. It is hoped that a new Ombudsman, solely responsible for the Ombudsman's office, will be appointed before the end of fiscal 2003/04.

While both the Human Rights Commission and the Ombudsman's Office deal with complaints, their individual mandates are remarkably different. Under its Act, the Ombudsman investigates complaints of maladministration against provincial and municipal levels of government. Additionally, as described in this report, the Ombudsman also has a proactive focus on children's issues. Under the provisions of the Nova Scotia Human Rights Act, the Human Rights Commission's scope extends beyond government to private industry.

The Ombudsman's Office staff has been supportive and cooperative during this dual appointment; however, the Ombudsman's Office and the Nova Scotia Human Rights Commission both deserve leadership that is devoted to each organization.

Thanks goes to Linda Chisholm, Assistant Ombudsman/Children's Ombudsman, currently seconded to the Department of Finance, and Janet McKinnon, A/Assistant Ombudsman/Children's Ombudsman. Without their support and commitment to the Ombudsman's Office, my dual appointment would have been far more difficult. Staff repeatedly demonstrate their commitment to our mandate, and by working together, each member of the Ombudsman's Office has ensured that our services to the public meet very high standards.

Ombudsman's Office staff members, myself included, continue to build upon recent achievements. We are embracing opportunities to bring about positive changes in the coming year. We are enhancing outreach and educational programs to the general public and to many government departments. We're improving information flow and statistical tracking. We are committed to providing efficient, effective and courteous service to all Nova Scotians.

I wish to thank you, the members of the public, for your patience during the last three years of this dual role.

Mayann Francis
Ombudsman

Introduction: Office of the Ombudsman

objective

IMAGINE that you have to sell your home and small business at a price far below market value simply because your neighbour's business is becoming increasingly successful. Apart from paying steep legal fees to help argue your cause in court, what would you do?

It almost sounds as if this dilemma could not be true. After all, what actions could a business owner possibly take on his or her own property that would have such a dramatic — and drastic effect — on the immediate neighbours?

In this case, the complainants lived next door to a large commercial operation that was expanding rapidly. As the operation grew, it was becoming increasingly malodorous, and the stench was becoming a major problem for the couple who believed they could no longer live in their home. They also operated a home-based business that would not stand the strain of relocation.

The family in question worked hard at several traditional avenues open to them, including contacting several provincial government departments. But the issue was complicated, as the business operator was employing acceptable methods. As a reasonable person, the business owner tried various methods of remedying the problem, including alternatives suggested by provincial authorities. But the unfortunate truth is that nothing seemed to help.

Luckily, stories like this are rare. But this problem did happen, and it had widespread repercussions for this family, the neighbouring farmer, the surrounding community, and the provincial government. It fell to the Office of the Ombudsman to wade through the technical and bureaucratic details, and make impartial recommendations.

The Ombudsman has several important roles to play in Nova Scotia. The Ombudsman's Office was established as an impartial body to review government practices and ensure that all government services and policies are both equitable and fair to all Nova Scotians. In a similar vein, the Ombudsman's Office works to improve the delivery of public services to all Nova Scotians.

In reviewing this case, the Office of the Ombudsman Investigator had several concerns with the procedures followed in early attempts to resolve the dispute. The family in question and the commercial operation owner did try an Alternative Dispute Resolution process, but this was not successful.

In the end, several important recommendations were made to help ensure that protracted cases like this one do not occur in the future. The Ombudsman's Office suggested that two provincial departments rewrite their policies to promote fair, impartial Alternative Dispute Resolution processes in similar disagreements. It also suggested a broader interpretation of each department's mandate, to help ensure that practices on large commercial operations of this nature adhere to sustainable principles; that these principles are updated frequently; and that the provincial departments in question promote their efforts, so that rural communities will know about the initiatives undertaken on their behalf.

Obviously, not every complaint referred to the Office of the Ombudsman is so dramatic, or affects so many people. But in many situations, the people who come to the office have exhausted other avenues of appeal, and do not know where else to turn.

So it was with a man who was trying to resolve a provincial tax problem; the complainant had documentation indicating that he had been seeking a resolution for more than 10 years. He started by writing, and then visiting the respondent departments on numerous occasions. He was trying to clarify how much land he owned, and requesting to have three individual parcels of

land taxed separately. He was repeatedly told that the matter had been properly addressed, but it had not.

During a casual conversation, he heard about the Office of the Ombudsman, and contacted the office. His concerns were brought before the appropriate department officials for clarification. The matter was thoroughly and extensively researched and finally settled. In this case, the complainant learned that he owned less land than he had been taxed for, but was relieved that his concerns were finally resolved.

The Ombudsman's Office was established as an impartial body to review government practices and ensure that all government services and policies are both equitable and fair to all Nova Scotians.

That is exactly what the staff at Ombudsman's Office does very well. They sift through regulations and bureaucracy to uncover the spirit and intent that informs municipal and provincial governments' rules and policies. Government and government agencies have become large and complex, to better meet the needs of a busy, complicated world. But a set of guidelines and procedures, no matter how comprehensive, simply cannot address every eventuality, or every nuance. Unforeseen problems will always arise, and when they do, it is helpful to rely on trained, impartial investigators who will get to the heart of the matter.

Over the last decade, the Office of the Ombudsman has also taken a vital and direct role in protecting the rights of children and youth who are in custodial care or youth protection services. In addition to dealing with problems or concerns expressed by individual children and youth, the Office of the Ombudsman, Children's Section works closely with provincial agencies, making recommendations to improve their systems.

One recent case referred to the Children's Section concerned an 18-year old youth who was soon to be released from a Young Offender facility and was placed on a Halifax youth shelter's waiting list. Since the youth was never formally in Family and Children's Services' care, the youth did not have a social worker and could not secure funding.

As the release approached, the youth was told to return home, find a place to live, and then apply for income assistance. Once funding was confirmed, the youth could apply to the Halifax shelter.

The Children's Section consulted Community Services in reviewing the matter, and determined that the youth was permitted to apply for income assistance while still incarcerated, using the address at the Young Offender facility. As a result, the youth was transferred to the shelter immediately upon release.

This case was resolved through the combined efforts of the Young Offender facility, Community Services, the Halifax shelter, and the Ombudsman's Children's Section.

Guide to the Office of the Ombudsman

Mission

The Ombudsman's Office has one overriding mission: to ensure that all Nova Scotia citizens are treated fairly by government and its agencies. When questions about administrative fairness arise — including the concerns of youth in the care and custody of municipal and provincial governments — they are addressed through an independent, objective review by the Ombudsman's Office.

The Ombudsman's Office

The Nova Scotia Office of the Ombudsman is responsible for handling complaints against provincial or municipal government departments, agencies, boards and commissions. As a non-partisan and independent agency, they seek to improve the government services provided to Nova Scotians, and to help individuals who feel they have been treated unfairly while using government services.

They do this by:

- gathering facts and information;
- reporting findings to complainants and respondents;
- issuing recommendations to government;
- bringing reason and understanding to disputes.

The office has the discretion to decline or discontinue an investigation when:

- an adequate remedy or right of appeal already exists;
- the complaint is trivial, frivolous, or not made in good faith;
- circumstances show no further investigation is needed;
- the complainant has known for more than a year of an administrative act, and has done nothing within that year to resolve it.

The Office of the Ombudsman has also taken a proactive approach to its role in Nova Scotia society by conducting seminars and presentations for government agencies and departments. Over the last year, the Office's Investigation staff presented to nine provincial and municipal government departments, explaining the Office's mission and role to 143 individuals.

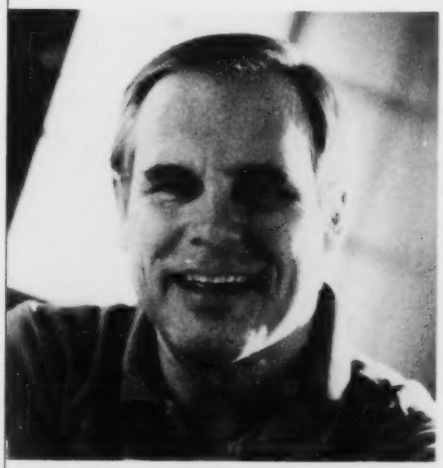
Can the Office of the Ombudsman Help You?

If you believe that a municipal or provincial government organization has been unfair, unreasonable or mistaken, please contact the Ombudsman's Office. The Office's role is to investigate matters and, if the complaint is warranted, propose a resolution that is fair and just to both parties.

Complaints can be made in writing, by telephone, fax, or by visiting the Office. Complaints filed with the Office of the Ombudsman are confidential, and our services are free-of-charge.

How to Contact the Ombudsman's Office

Telephone (toll-free within Nova Scotia)
1.800.670.1111
Direct telephone line
902.424.6780
Children's Section
Tel: 1.888.839.6884
Fax: (902) 424-6675
Web
http://www.gov.ns.ca/ombu
Mailing address
5670 Spring Garden Road,
Suite 609
PO Box 2152
Halifax, NS B3J 3B7



History of the Ombudsman

THE MODEL on which the Office of the Ombudsman is based has Scandinavian roots. The world's first Ombudsman was officially appointed in the court of Swedish King Charles XII in 1713. His official title was Hogsta Ombudsman (Supreme Royal Ombudsman). Although the Ombudsman was assigned to "keep an eye on royal officials," he also represented the King at certain functions, so it is possible that the first Ombudsman was not as impartial as he might have been.

By 1809, all ties with the Swedish monarchy were severed. An impartial Ombudsman was established after numerous public complaints about government activities, and the office was introduced into the Constitution, and granted independence.

The term itself comes from the Norwegian word Umbodhsmadhr, which means "Administration Man" or "King's Representative". In Swedish, it has come to mean "one who represents another", or an "advocate of the people".

The Ombudsman structure was viewed as a simple but effective way to protect against abuses of power, and this Scandinavian initiative soon spread to other countries.

Various English dictionaries describe an Ombudsman as a government official who investigates complaints against government agencies or acts in a way that is both impartial and independent. Other countries, including Japan, China, and several African nations, have also embraced similar remedies to the Ombudsman during their rich histories.

In the 20th Century, the Ombudsman concept became a global phenomenon. Finland was second in line, establishing an Office of the Ombudsman in 1919. After the Second World War, with governments growing at tremendous rates, it became clear that public agencies that could impartially investigate complaints against government departments were necessary. The Ombudsman structure was viewed as a simple but effective way to protect against abuses of power, and this Scandinavian initiative soon spread to other countries. Denmark (1955) and Norway (1962) soon followed their northerly neighbours' lead.

In the 1960s, the Ombudsman concept started percolating throughout the world. Most Canadian provinces began introducing offices around the time of our nation's Centennial celebration in 1967, while New Zealand (1962), the United Kingdom (1967), Tanzania (1968), Israel (1971), France (1973), Portugal (1975), Puerto Rico (1977), Australia (1977), Austria (1977), Spain (1981), and the Netherlands (1981) also established permanent offices.

In the United States, the last became first, with the 50th state to join the union becoming the first to embrace the Ombudsman's concept when Hawaii opened an Ombudsman's office in 1969. Over the next three decades, several universities and large corporations began appointing an Ombudsman to help people in their dealings with these large and often complex institutions.

The two most common kinds of Ombudsman in Canada and in other countries are:

1. The Legislative (or classical) Ombudsman, who are established by statute, and who can report findings and recommendations to ministers of provincial departments, the provincial legislature and to chief executive officers of municipalities.

2. The Executive Ombudsman who report only to the head of the organization that they investigate, such as government departments or Crown corporations, universities and colleges, and businesses.

At last count, more than 100 Ombudsman offices with national mandates exist throughout the world, with thousands more operating at provincial or local levels of government in countries as various as

Argentina, The Netherlands and India. In Canada, offices of the Ombudsman also exist at the Canadian Broadcasting Corporation, Canada Post, and most universities.

History of the Ombudsman in Nova Scotia

The Nova Scotia Office of the Ombudsman was established in 1970. Importantly, the Ombudsman Act made the Office independent, with the authority to investigate decisions and actions by government officials. Independence is a key requirement for an Ombudsman to work effectively. Another key component to the legislation is that the Ombudsman's Office must report regularly to the House of Assembly by tabling its annual report.

Since its formation, the province has had six Ombudsmen:

- Dr. Harry Smith - 1971-1981
- William Campbell - 1982-1985
- Dr. Andrew MacKay - 1986-1988
- Dr. Guy MacLean - 1989-1994
- Douglas Ruck - 1995-2000
- Mayann Francis - 2000-present

The Ombudsman's Office continues to grow and expand, as the Office's role in Nova Scotia becomes more fully realized. When Dr. Smith was Ombudsman, one secretary assisted him. Currently, 11 people staff the Office, including the Ombudsman Mayann Francis. In addition to the Ombudsman's traditional role of investigating complaints filed against municipal or provincial governments, the Children's Section investigates complaints from children and youth in provincial care and custody situations. The Office has a budget of $802,000 for the current fiscal year.

The Office of the Ombudsman has become increasingly active in educating the Nova Scotia public and government officials about the Office's services. Ombudsman staff members have also conducted seminars for various municipal and provincial agencies to apprise them of the Office's mandate, and emphasize how a cooperative approach to solving concerns and problems will prove beneficial. The Office is also widening the spectrum of investigations that are conducted.

It is important to note that investigations by the Ombudsman cannot be used as evidence in a court of law, nor can complainants seek redress in a judicial forum. The records of the Office of the Ombudsman are exempt from the Freedom of Information and Protection of Privacy Act.

Staff Profiles

Left to right: Christine Brennan, Roberta McIntee, Lisa DeLong, Muriel Mappin, Mayann Francis, Sonya Ferrara, Kim Langlois, Cora Tolliver, Janet McKinnon.

Mayann E. Francis
Ombudsman

Mayann E. Francis has been Nova Scotia's Ombudsman since December 2000. She also serves as Director & CEO of the Nova Scotia Human Rights Commission. Ms. Francis' appointment was intended to be for a six-month period until an Ombudsman, with only Ombudsman's responsibilities, was hired. Previously, she has been a pioneer in senior positions with the Government of Ontario, Dalhousie University and the District Attorney's office in Kings County, New York.

Ms. Francis' professional work does not exclude her interest and commitment to communities. She is a past member of United Way/Centraide Canada, the Mascoll Foundation, and the University College of Cape Breton's Board of Governors. She is currently a member of the General Council of the Canadian National Institute for the Blind and the Nova Scotia Government Voluntary Planning Board.

Ms. Francis has been recognized for her outstanding achievements with a Harry Jerome Award, a prestigious award given to African Canadians in recognition for excellence in management, an honour presented by the Multicultural Education Council of Nova Scotia. She has also received the Queen's Golden Jubilee Award. She has been profiled in numerous publications, including *Millennium Minds: One Hundred Black Canadians*, the *Who's Who in Black Canada*, *The Globe & Mail* and the *Maroon & White*.

Ms. Francis has a Bachelor of Arts from Saint Mary's University, a Masters in Public Administration from New York University, a Certificate in Theological Studies from the Atlantic School Of Theology, a Certificate in Equal Employment Opportunity Studies from Cornell University, NY, and a Paralegal Certificate from Long Island University, Brooklyn, NY.

Janet McKinnon
Acting Assistant Ombudsman/Acting Children's Ombudsman
Director of Investigations

In November 1996, Janet McKinnon started her career with the Ombudsman's Office as an Investigator. In 1999, she was promoted to the Director of Investigations. In April 2002, Ms. McKinnon accepted the responsibilities of Acting Assistant Ombudsman & Acting Children's Ombudsman, in addition to maintaining the responsibilities as Director of Investigations. She is responsible for the day-to-day operations at the Ombudsman's Office.

Prior to joining the Ombudsman's Office, Ms. McKinnon was employed as a Nova Scotia Human Rights Commission Human Rights Officer from January 1987 to November 1996. She also worked as a Planning Technician with the Nova Scotia Department of Housing from June 1982 until January 1987.

Ms. McKinnon is a graduate of Saint Francis Xavier University and the Nova Scotia Land Survey Institute. Thanks to skills nurtured during her survey institute training, Ms. McKinnon pays very close attention to details, a quality essential for conducting thorough investigations. During her years with the Office of the Ombudsman, Ms. McKinnon has enhanced her abilities through professional development, including courses in Leadership Development, Negotiation, and Mediation Training.

Linda J. Chisholm
Children's Ombudsman

As Nova Scotia's Children's Ombudsman, Linda Chisholm oversaw custody-serving systems in order to promote fairness, accessibility, and responsiveness to the needs of children and youth.

Ms. Chisholm received a Master's in Public Administration from Dalhousie University and a dual Bachelor of Arts degree (Sociology and Criminology) from Saint Mary's. While studying at Saint Mary's, she garnered the Dr. Perrier Scholarship and the Saint Mary's Mature Student Scholarship Award for outstanding academic achievement. Ms. Chisholm completed the Mediation and Dispute Resolution Program at Harvard Law School, as well as the Negotiation and Conflict Management program offered by Dalhousie University.

Ms. Chisholm's enthusiastic and dedicated work on behalf of children, combined with her educational background, experience, and expertise ensured that the concerns of children in care and custody under Municipal and Provincial legislation were examined in an independent, fair, and unbiased manner, as described in the UN Convention on the Rights of the Child.

Ms. Chisholm is currently seconded to the Department of Finance.

The Ombudsman's Office continues to grow and expand, as the office's role in Nova Scotia becomes more fully realized.

The object of the Ombudsman's involvement is not to affix blame or assess penalty, but rather to resolve a complaint in a manner that is fair, just and practical.

Cora Tolliver
Investigator

In November 1999, Cora Tolliver began working as an Investigator at the Office of the Ombudsman. Ms. Tolliver assesses and investigates complaints relating to more than 600 pieces of legislation, as well as regulations, by-laws, and policies and procedures of 14 provincial government department and 55 municipalities. Ms. Tolliver monitors government departments to ensure administrative compliance of provincial and municipal government laws, while addressing issues of fairness and natural justice in the administration of these laws. Furthermore, she mediates disputes between individual Nova Scotians and municipal or provincial governments.

Ms. Tolliver's understanding of the complexities of law, as gained at Dalhousie Law School, was enhanced through several years experience as a legal researcher with the Department of Justice, with the Compensation for Institutional Abuse Program. Through this involvement Ms. Tolliver gained an appreciation and understanding of the law — both theoretical and practical — in the areas of internal investigations, alternate dispute resolution and civil litigation. Ms. Tolliver's mediation and negotiation skills have been further enhanced by completing the Negotiation and Conflict Management Program, offered through Dalhousie University. In addition to her experience gained through the Department of Justice, Ms. Tolliver acted as legal advocate at the Dalhousie Legal Aid Clinic, where she focused on administrative, poverty, and family law. A graduate of Wolfville's Acadia University, Ms. Tolliver obtained a Bachelor of Arts degree, majoring in English and Sociology.

Kim Langlois
Investigator

Kim Langlois joined the Nova Scotia provincial government in 1979. She attributes her extensive investigative experience gained as a Labour Standards Officer as well as her professional development with her ability to conduct both thorough and objective investigations with the Office of the Ombudsman.

Ms. Langlois is responsible for addressing complaints relating to more than 600 pieces of legislation, as well as regulations, by-laws, and policies and procedures of 14 provincial government departments and 55 municipalities. Ms. Langlois both assesses and investigates formal complaints, in addition to addressing fairness and equity issues that arise when both provincial and municipal laws are administered.

Furthermore, she researches and writes comprehensive reports that summarize and analyze investigations where maladministration has been identified. She monitors various government entities to ensure compliance with accepted recommendations contained within reports. Ms. Langlois also presents educational seminars to government officials, civil servants and the general public on the Office's role and mandate, as well as principles of administrative fairness.

Ms. Langlois is particularly enjoying this stage of her career. She enjoys interacting with both the public and government officials, as well as the challenge of reviewing and analyzing government programs and services and developing recommendations, where warranted, to improve the delivery of services.

Ms. Langlois graduated from Mount Saint Vincent University. She has further developed her professional skills by taking several courses and seminars, including Leadership Development for Middle Managers, Dalhousie's Negotiation and Conflict Management Program, Power Talk Communications, and Effective Report Writing.

Roberta McIntee
Investigator

In 2001, Roberta McIntee joined the Investigation Team. Ms. McIntee graduated from Dalhousie University with a Bachelor of Arts (Political Science) and Bachelor of Laws degrees. She articled for B.A. "Rocky" Jones, a well-known human rights activist and labor lawyer, and was called to the Nova Scotia Bar in 1999.

Ms. McIntee has received extensive academic and practical training in negotiation, mediation, and dispute resolution. She came to the Office from the Nova Scotia Human Rights Commission. She believes her education and experience have proven invaluable to her as she investigates complaints related to 14 provincial government departments and 55 municipalities over which the Office has jurisdiction.

Investigators are responsible for addressing complaints regarding more than 600 pieces of legislation, as well as the regulations, by-laws, policies and procedures of each department and municipality. Ms McIntee particularly enjoys these challenges. She also enjoys meeting Nova Scotians from all walks of life, whether it is addressing their complaints, or presenting seminars to community or government groups.

Sonya Ferrara
Field Officer, Children's Section

Sonya Ferrara began working as a Field Officer with the Office of the Ombudsman's Children's Section in 1999. As a Field Officer, Ms. Ferrara provides children and youth with a voice, and she monitors and investigates institutional authorities for policy and legislative compliance. She also represents the Children's Section on various committees and attends national roundtables.

Ms. Ferrara works on research projects, and responds to both inquiries and complaints from youth within care and custody settings, bringing a combination of educational and practical experience in the field with youth at risk. She has also been a Youth Worker for the Department of Justice, and an Assistant Probation and Parole Officer in Toronto. She has volunteered as a Probation Officer in both Ontario and Nova Scotia.

A York University graduate, Ms. Ferrara obtained an honours degree in Political Science, as well as completing a Certificate in Criminology at Halifax's Saint Mary's University. Through Dalhousie University, she has completed the Negotiation and Conflict Management Program, and trained in the new Youth Criminal Justice Act. Ms. Ferrara's goal is to pursue a Master's Degree in Criminology, focusing on youth issues.

Christine D. Brennan
Field Officer, Children's Section

Christine Brennan began working as a Field Officer with the Children's Section in 2000. Ms. Brennan is responsible for developing and fostering positive relationships with senior officials in various municipal and provincial agencies and departments, as well as with the Royal Canadian Mounted Police.

Ms. Brennan clarifies policy and systemic issues that affect designated services and programs provided to children and youth

Formal investigations can lead to many different outcomes. Ideally, the solution addresses the concerns of both the government respondent and the complainant.

When a complaint is not resolved at the assessment stage and the complainant's concerns warrant investigation by the Office of the Ombudsman, a formal investigation begins.

under a variety of provincial and municipal acts and legislation. She also provides information and advice about the effectiveness, responsiveness and relevance of government designated programs and services.

Utilizing experience and skills garnered during her studies for a Bachelor of Laws Degree at Dalhousie University, Ms. Brennan also worked at the Dalhousie Legal Aid Clinic before graduating from law school. While at Legal Aid, she developed a strong comprehension of legal specialties, specifically poverty law, child custody and child protection law, family law, and mental health law.

Ms. Brennan has also studied law at University of Saskatchewan, where she focused on aboriginal law and First Nations issues. Prior to her professional degree, she earned a Bachelor of Arts in Psychology at Saint Mary's University in Halifax.

Lisa DeLong
Field Officer, Children's Section

Lisa DeLong began working as a Field Officer with the Office of the Ombudsman's Children's Section in 2002. As a Field Officer, Ms. DeLong reviews complaints received from children and youth in custody and care. Her work promotes rights education and clarifies complaints procedures. Additionally, Ms. DeLong contacts appropriate authorities to explain their duties as guardians.

Ms. DeLong works closely with municipal and provincial agencies and departments, and with the RCMP in Nova Scotia. She helps identify and address systemic issues affecting youth, and uses this information to create policy and training initiatives. She also monitors authorities to ensure compliance with legislation and policy as it pertains to children and youth. Ms. DeLong enhanced her understanding of public accountability mechanisms through work in Ottawa with the Legal Services unit of the Commission for Public Complaints against the RCMP.

Ms. DeLong holds a Bachelor of Laws Degree from the University of Ottawa, and has completed Dalhousie University's Conflict Management program. Ms. DeLong brings a strong understanding of human rights, constitutional law, and international law to her work in the Children's Section. She is keenly interested in aboriginal law, poverty law, and refugee law, having worked with refugees in Europe and Canada, most recently with the Halifax Refugee Clinic. Ms. DeLong has also completed a Bachelor of Arts degree at Dalhousie University, with a combined honours in English and Theatre.

Lori McIsaac
Field Officer, Children's Section

As a Field Officer with the Office of the Ombudsman, Children's Section, Lori McIsaac investigated complaints made by youth in custody. In conjunction with other Field Officers, Ms. McIsaac clarified policy and systemic issues that affected designated services and programs provided to children and youth under a variety of provincial and municipal acts and legislation.

Ms. McIsaac graduated with a Bachelor of Social Work degree from Dalhousie University and spent several years working in the child welfare field before coming to work with the Office of the Ombudsman, Children's Section. Prior to receiving her social work degree, Ms. McIsaac completed a Bachelor of Arts degree in Sociology at Acadia University.

Ms. McIsaac worked as a Field Officer from January 2002 to November 2002.

Mary Bond
Research and Statistical Officer, Children's Section

As Research and Statistical Officer with the Children's Section, Mary Bond researches a wide variety of policy and systemic issues affecting children, as well as staying apprised of municipal and provincial policy as it relates to children, youth and their families. Ms. Bond monitors and tracks statistics on complaints and inquiries received from children and youth in the provincial government's care and custody. Ms. Bond also studies statistical and research information derived at from local and national sources.

Additionally, Ms. Bond assists with hiring new Children's Section staff and works closely with summer students, providing advice on research assignments. She also maintains and organizes the Children's Section library's resource material.

Ms. Bond started with the Ombudsman's Office in 1997, compiling various administrative projects under the guidance of senior officers. As a University of King's College journalism graduate, Ms. Bond also works closely with the Children's Section on communication matters. She received her Bachelor of Arts degree in Sociology from Acadia University. Ms. Bond is also a freelance writer who has published articles in various Nova Scotia newspapers and on the Internet.

Muriel Mappin
Secretary to the Ombudsman

Muriel Mappin started her career with the provincial government on March 1, 1974. She has worked for the Department of Social Services, the Tax Commission, and Department of Education, prior to joining Office of the Ombudsman in 1978.

Ms. Mappin has excellent communication and public-relation skills. For many years, she has been the first voice that callers to the Ombudsman's Office have heard. Ms. Mappin assesses whether the matter should be referred to an Investigator, or directed to an outside agency.

Ms. Mappin's goal is to continually improve her writing and communication skills and to increase her knowledge of computer programs. Ms. Mappin enjoys writing and editing briefs, and working with various government offices and community agencies. She has also worked for the Ombudsman's Children's Section.

Ms. Mappin is currently on deferred leave.

The Ombudsman's Act prevents the Ombudsman from ordering respondents to accept recommendations... through mediation, a reasonable and equitable solution is usually reached.

How the Office of the Ombudsman Works

COMPLAINANTS CONTACT the Office of the Ombudsman when they believe they are unfairly affected by the government's actions and decisions. It is important that complainants understand the office's capabilities and limitations, as well as the investigative process that is generally followed. The different stages are structured to allow each party to collect information and present their perspective on the situations equitably. Since no two complaints are exactly the same, these stages are only guidelines.

The Ombudsman's Act prevents the Ombudsman from ordering respondents to accept recommendations. Due to the thoroughness of investigations, however, it is rare for anyone to reject outright the Ombudsman's recommendations. Through mediation, a reasonable and equitable solution is usually reached.

Each investigation is unique, and varies in length and scope, but the Office deals regularly with several common categories of complaints.

Phase One: The Initial Screening

During this phase, a front-line staff member receives the complaint, and determines whether the issues fall within the Office's jurisdiction. When the agency or organization named in the complaint is not a provincial or municipal government department or agency, the complainant is referred to an appropriate venue.

In others, the complainant has not properly expressed their concerns to the agency or organization involved, so the staff member explains the step-by-step process for making a complaint against the named organization or agency.

Phase Two: Assessment

After the preliminary screening is completed, and a front-line staff member has determined the complaint merits closer attention, the complaint is referred to an Investigator. Investigators speak with the complainant and the respondent to assess the complaint, and attempt to resolve it informally.

Informal investigations are usually undertaken when the complaint results from miscommunication, or when the complainant misunderstands governmental procedures. During informal cases, the Ombudsman's Investigator mediates between the complainant and the government agency, ensuring that both parties understand the problem, and work together to resolve it.

When necessary, the Ombudsman's Investigator will recommend the government agency amend its policies and procedures to correct an oversight. It is also the Investigator's responsibility to inform the complainant if their problem has no remedy under the Ombudsman Act because the government agency was applying its policies correctly.

Phase Three: The Formal Investigation

When a complaint is not resolved at the assessment stage and the complainant's concerns warrant investigation by the Office of the Ombudsman, a formal investigation begins. At that time, the Investigator writes to the provincial department's Minister and Deputy Minister, advising them of the investigation. The Investigator notifies the municipality's Chief Executive Officer when

an investigation is being initiated. Formal investigations require a great deal of work, which may include:

- A thorough study of applicable legislation, policies, procedures and regulations. At this point the Investigator may also be required to become familiar with standard industry practices, scientific facts, or technical details.
- Summarizing the complaint for the complainant's approval.
- Summarizing the facts for the respondent, along with relevant questions that need to be addressed in his or her response.
- Interviewing collateral sources.
- Documenting each case thoroughly, and writing detailed reports.
- In some cases, legal opinions are solicited.

The investigation's outcome is reported to each party. Recommendations may be issued when the Office of the Ombudsman finds that improvements and amendments to policies or procedures are required.

Possible Outcomes

Formal investigations can lead to many different outcomes. Ideally, the solution addresses the concerns of both the government respondent and the complainant. The object of the Ombudsman's involvement is not to affix blame or assess penalty, but rather to resolve a complaint in a manner that is fair, just and practical. Some possible outcomes include:

- The office can recommend that the parties discuss the matter between themselves in order to resolve the situation independently. If no solution is forthcoming, the Office of the Ombudsman can once again intervene.
- The Ombudsman's Office can mediate the disagreement between the parties involved in the investigation.
- The government body can propose a solution that is accepted by the complainant.
- The Ombudsman's Office can determine that the government body responded to the complaint properly.
- The Ombudsman's Office can submit recommendations to the respondent, and monitor compliance after investigation to determine whether the government agency implements the recommendations.

Should the government agency reject the recommendations, the Ombudsman may submit the final report, including recommendations, directly to the Speaker of the House of Assembly.

Representative Case Studies

These case studies have been purposely made gender-neutral to preserve confidentiality, so normal rules of grammar have been briefly suspended.

Wage Subsidy Disagreement

The complainant alleged discrimination by a provincial government employee when the complainant was deemed ineligible for a wage-subsidy program that had been awarded to a business run by the complainant's sibling.

According to the government employee, this ineligibility had always been an unwritten general policy followed by this agency when awarding wage-subsidy grants. The caseworker indicated that close family relationships, such as spouse, or child, were always considered ineligible, but suggested that other family relationships are often considered acceptable. The caseworker also voiced the opinion that Nova Scotians would not appreciate having their tax money spent in such a manner. Finally, the employee also indicated that this decision could be appealed, though the employee did not expect that this complainant would do so.

The Ombudsman's Investigator contacted the department's Executive Director to further discuss the problem. Adding to this matter's complexity was the fact that exceptions to the wage-subsidy program are often made in rural communities where opportunities can be scarce, and close relations plentiful. In such cases, discretionary authority is granted to individual caseworkers to approve exceptions to policy.

The complainant did not follow through with the original complaint, so no further action was taken on this point. However, the Ombudsman's Investigator continued to have concerns with this department's policy as written. As individual caseworkers had been given discretionary authority in implementing policy, it was possible that the policy could be implemented unfairly, depending on personal biases and preconceptions of individual caseworkers.

As a result, the Ombudsman's Investigator suggested that policy be changed, so that each caseworker is required to consult with a casework supervisor in every situation where relatives meet all the requirements of the aforementioned wage-subsidy program. The department in question agreed with this assessment, and upgraded the policy to avoid future problems.

Undue Hardship

A complainant had been transferred from one provincial correctional facility to another for an unknown reason. The offender was concerned as family members, including the complainant's children and frail mother, resided near the first facility. The complainant alleged the transfer was causing undue hardship, as it would make it more difficult to visit with family members. The offender attempted to make arrangements to be transferred back to the original facility, but without success. As a result of a call from the Office of the Ombudsman, the two facilities discussed the problem, and arrangements were made to transfer the offender back to the originating facility.

Unsatisfactory Work

A complainant who had been approved for a home repair program offered by the province contacted the Office of the Ombudsman. The complainant alleged the contractor's work was unsatisfactory and did not meet the program's requirements. As this was a provincial program, the homeowner attempted to have the department place a hold on the final payout to the original contractor until the appropriate work was completed and met provincial codes.

An Ombudsman Investigator contacted the respondent to discuss these concerns. The respondent indicated that the complainant had only submitted one estimate for repairs. If the complainant would forward a second repair estimate from another contractor on the costs to complete the unsatisfactory work, as well as a list of code infractions from building inspectors, then the responding provincial department would withhold the final payment from the first contractor. The amount deducted would be based on the cost to repair the deficiencies.

This second estimate was provided, and the complainant proceeded to have the necessary repairs done to the home.

Difficulties Renewing a License

A complainant contacted the Office of the Ombudsman, as the complainant was having difficulties renewing an expired license. This person also indicated that the license was incorrectly classified, and attempts to correct the problem were not successful.

An Office of the Ombudsman representative contacted the respondent and requested a copy of the policy explaining how to renew an expired license, and correct an error in the respondent's records. This information was obtained and the complainant followed the appropriate procedure to the letter, so the error was corrected and the appropriate license was issued.

Divesting Land

In the 1960s, a municipality seized land for unpaid taxes. The land was advertised for sale, but no one bid on the properties, so it lay unused for decades. In 2000, a community development group approached the municipality, asking them to subdivide the land and sell it in lots.

After negotiations between the municipality and the development group, the two parties decided the most acceptable way of divesting the land was to have it surveyed at the municipality's expense, with the right of first refusal given to community members. The land was surveyed, but the community development group deemed the price to be too high. At the municipality's further expense, two additional assessors appraised the land, with the average of the lowest two assessments set as the price for each lot. The complainant believed the land should have been distributed among the descendants of the original grantees. However, the *Municipal Act* allows for the divesting of land by a municipal unity in one of two ways: the municipality may have the land assessed and offered for sale at the assessed value, or it may offer the land for public tender. Once the Investigator explained the provisions of the Act, the complainant understood why the Office of the Ombudsman found that the municipality had properly divested the land.

Working with a consultant, Office of the Ombudsman's staff members are working towards writing better reports, which are more concise, and easier to read and comprehend.

Unfair Bidding Practices

A complainant alleged that a town was contracting out its equipment and employees, and bidding on private jobs by undercutting the prices of local contractors. During the investigation's course, the town stated this was an acceptable practice because it saved taxpayers' money.

However, some years before, the town had stated in a small claims court case with the complainant that this practice was no longer acceptable under the *Municipal Government Act,* and would be discontinued.

The complainant provided examples to the contrary, including incidents where town equipment had been used to provide materials for the town's Chief Administrative Officer and to excavate property owned by a public works employee's friend.

The matter was settled to the complainant's satisfaction, with an undertaking that the practice would be discontinued, and that the town would honour its fair-tendering policy. It was also confirmed the town would not retaliate against the complainant.

Looking Forward

In the last annual report, the Ombudsman's Office noted that a huge backlog of cases was effectively whittled down to a manageable caseload. The Ombudsman is pleased to report that this trend continues. Additionally, the office has improved its communication strategy, producing an informative brochure that describes the Office of the Ombudsman and the vital role that it plays in Nova Scotia society. A concerted effort has also been made to improve the web site so that surfers will be able to easily find the Ombudsman's pages, and gather relevant information.

This Office's movement towards improved communications will continue. Working with a consultant, Office of the Ombudsman's staff members are working towards writing better reports, which are more concise, and easier to read and comprehend. The Office of the Ombudsman is also making a concerted effort to reach out to municipal and provincial agencies to explain its mission, and how it works.

Additionally, the Office will be going forward with an application to the Supreme Court of Nova Scotia that seeks to clarify jurisdictional challenges that have been made against the *Ombudsman Act*.

The Children's Section

AT THE NOVA SCOTIA DEPARTMENT OF JUSTICE'S request, Children's Section Field Officers meet with every child entering the custodial care system through monthly site visits, as well as through individual and group sessions at the facilities. As the voice of children in custodial care or youth protection services, the Children's Section can make recommendations to improve the system.

The Children's Section Field Officers produce monthly reports that are forwarded to Correctional Services, and respond to any issues identified by Field Officers, and Correctional Services management or staff.

The Office also conducts independent investigations and identifies issues within the system, using the findings from children's complaints to identify patterns of concern. This information is then used to guide policy and recommend avenues for change.

In 1996, the Children's Section role began with a Registry of Complaints for Youth and Staff at Young Offender Facilities – currently known as the Correctional Services Complaint Process. The office has also produced communication materials that are distributed to every child entering the system. These bright posters and colorful pamphlets detail the rights of children and youth, with information on how to contact the Children's Section should concerns arise. The posters and pamphlets stress that concerns are addressed confidentially, and highlight a 24-hour toll-free youth line that is available year round to children in care and custody.

Since the Department of Justice initiative, the Children's Section has presented seminars to every municipal police service within the province, including police chiefs and senior staff, and completed an audit of police cells to determine deficiencies.

The Children's Section has placed new communication materials (including the poster: Children's Section — We have time to talk, 1.888.839.6884) in all police holding cells and admission areas within the province. Every municipal police chief has agreed that children and youth detained in holding cells have the right to contact the Office of the Ombudsman Children's Section. Children are advised of this right on admission.

This new policy is helping to alleviate anxieties felt by children and youth in custody, but it is also helping the administrators and workers at correctional facilities in Nova Scotia.

Fred Honsberger, Executive Director of Correctional Services with the Department of Justice, believes that the Children's Section plays a vital role in helping youth in need understand that their thoughts and concerns are valued.

"There are so many pluses, there is no downside," said Mr. Honsberger. "It's good for the youth because they know they can speak up, and they know their concerns will be dealt with. It gives them a sense of relief, and it demystifies the process."

Mr. Honsberger said that visits by Children's Section Field Officers also benefit administrators at youth facilities by opening up the lines of communication and spotting potential problems quickly.

"This is a really good thermometer for taking the temperature of an institution," he said. "There is a sense that if there is anything going on in a facility, these visits are a safety valve. Complaints are documented, and copies sent to the superintendent of a facility and to this office. There are procedures in place so that they are dealt with fairly quickly."

Federal Initiatives

The Children's Section is currently working with the RCMP to address children's needs in a police setting. As a federal agency operating in Nova Scotia, the RCMP remains outside the mandate of the Children's Section, and that is why a cooperative initiative, benefiting both agencies, has been developed.

The Children's Section approach to the RCMP follows the successful parameters that guide relationships with municipal police forces. The office is reviewing holding cells, and scrutinizing RCMP policies and procedures as they relate to apprehending and detaining children and youth.

The Children's Section does not investigate complaints against the RCMP, but refers complainants to a relevant federal agency. The section also serves as a useful resource for RCMP where concerns about provincial and municipal services arise.

All Children's Section plaques have been prepared for the RCMP in both official languages, and some Mi'kmaq materials have also been distributed.

Annual Report: Case Studies

These case studies have been purposely made gender-neutral to preserve confidentiality, so normal rules of grammar have been suspended briefly.

Dental Care

An aboriginal youth in custody contacted the Children's Section with concerns about dental treatment. The youth suspected cavities, but had been advised that the facility would not cover the cost of treatment unless there was a toothache. Further, the youth had learned that tooth extraction was the only funded treatment. Because the youth was in care, the youth's social worker was contacted.

This youth's social worker directed the Ombudsman's Office to a federal aboriginal health coverage program, but the field officer discovered that youth in correctional facilities are not covered by this plan. This policy loophole was denying the youth access to preventative dental services.

The Children's Section served as a liaison between the relevant departments. Few options were available, but the child welfare agency in question soon determined that the youth should not lose otherwise healthy teeth, and decided to fund the treatments. Through intervention by the Children's Section, the youth received appropriate dental care.

Search Procedures

Following a correctional facility search, a youth contacted the Children's Section, concerned that the search was more invasive than anything previously experienced. The youth also suggested that the search did not follow established guidelines.

Upon review, the Children's Section determined that the search was not completed pursuant to protocol, and contacted the senior superintendent immediately. He reviewed the incident and confirmed that the search in question deviated from established standards.

The institution addressed the situation internally, and discussed the matter in detail with the youth. The youth was satisfied that their concern was taken seriously and thoroughly investigated, and that the matter was addressed with staff.

Right to Speak Aboriginal Language

An aboriginal youth contacted the Children's Section to complain about being punished for speaking natively in Mi'kmaq. Field Officers reviewed grievance policy with the youth and then, due to the matter's sensitivity, immediately contacted the Unit Supervisor to obtain more information.

An investigation ensued, with the supervisor determining that the youth was punished for being disrespectful, and not for speaking Mi'kmaq. Field Officers met with the institution's Deputy Superintendent who reiterated the aboriginal youth's right to speak Mi'kmaq. This Office contacted the youth to ascertain that this right was fully understood.

Release Plans

A Field Officer met with a youth who was upset because the youth would not have a place to live after being released from a young offender facility. The facility's programmer and the youth's probation officer were having difficulties in securing a place to live, and Community Services would not offer child welfare services, as the youth was more than 16 years of age.

It had been suggested that the youth reside in a shelter for homeless adults in Halifax; however, this raised concerns, as the youth required a great deal of support, and was unfamiliar with the Halifax area. The youth did have family and therapeutic supports in place in their hometown, and placement at a nearby facility was secured. Funding remained problematic.

The Children's Section intervened, and made it possible for the various stakeholders to meet. Department of Community Services determined that it would provide funding for the placement given the special circumstances.

Access to Aboriginal Culture

An aboriginal youth in a young offender facility felt that they were denied access to important cultural items during "lock-down" sanctions. The youth owned several books on aboriginal culture and a leather pouch filled with spiritual items. The youth also attended a sweat lodge in the facility.

The pouch was filled with traditional healing items, and worn with a leather necklace. A gift from a parent, the pouch also held a deep emotional significance. However, during a violent outburst, the pouch had been cut off for issues of safety, and not returned after the youth's release from safety cells. The youth believed the necklace and pouch had been damaged during removal.

The Office also conducts independent investigations and identifies issues within the system...This information is then used to guide policy and recommend avenues for change.

As the voice of children in custodial care or youth protection services, the Children's Section can make recommendations to improve the system.

This office mediated between the youth and the institution. Our Field Officer ensured that the youth understood the reasons behind the removal. The pouch was ultimately returned to the youth.

The youth was also concerned because access to books with spiritual and aboriginal content were denied while in "lock-down," so this office discussed the matter with the Deputy Superintendent, who agreed to provide the youth with materials from the library.

Finally, the youth was disconcerted about losing access to the sweat lodge during the "lock-down." The office ascertained that no sweat lodges had been held during the months in question, and emphasized that the youth is permitted to attend sweat lodges when not in "lock-down". The youth had no further questions.

Missing Possessions

A youth, about to be released from a young offender facility, expressed concern about items of personal clothing that went missing during committal. The youth had talked to the unit supervisor immediately after the items went missing, and had been advised that compensation would be provided for their loss, but that had yet to happen.

The youth and the youth's mother both indicated that they had tried to resolve the matter several times, without success. The Children's Section examined all relevant paperwork and determined that the youth's Personal Property Declaration Form was missing, making it impossible to verify what items had been taken and returned to the youth. As a result, the facility compensated the youth for the value of the missing items.

Looking Forward

- The office is currently working with various police departments, Public Safety, and the Department of Justice to incorporate changes to provincial policy, and to develop a process for amending Municipal Standard Operating Procedures.

- Random audits will be conducted (at municipal police departments and RCMP detachments) regularly to ensure policy compliance and that communication materials are displayed.

The Children's Section is also working closely with the Department of Community Services to fill a real need. Currently, children, youth, and their families have no independent appeal mechanism to use when they have complaints about programs administered through the Department of Community Services. The Children's Section and Community Services are working together to create the Residential Child-Caring Facilities Complaint Resolution Process.

This initiative's goal is to provide an independent, unbiased assessment of complaints made against programs overseen by Community Services. This resolution process will benefit youth and children who reside in child-caring facilities, such a group homes, and other similar facilities. In time, it will improve accountability at such facilities, and reassure children that their complaints are considered in a fair, consistent manner.

The Complaint Resolution Process has not been fully implemented, as the Minister of Community Services has yet to authorize the initiative. However, children and other stakeholders have been bringing forth issues and concerns, many of which are being reviewed by the Children's Section.

The above matters are outstanding, but deserve attention, as staff members are fielding many phone calls from youth who are feeling vulnerable and alone as they move through the province's child-serving system.

YODA - Youth Ombudsman Directory of Allegations

As of April 2002, the Children's Section has been integrating a new information management system. The Youth Ombudsman Directory of Allegations, or YODA, is a case management information system designed to:

- standardize intake procedures and screen complaints;
- record complaint information;
- maintain complainant dossiers;
- maintain facility inspection records;
- manage follow-up and track patterns of persistent issues and behaviors.

It is important to be able to cross-reference any complaints against a particular organization to a youth's file. It is also vital to consider each new complaint in the context of preceding ones. The main objectives of the YODA case management system are to ensure reliability in the complaint system and increase the efficiency of searches.

One immediate impact of YODA will be financial, as the new system saves both time and money. But it also benefits organizations that serve youth in care and custody settings, as the information will be used to support institutional changes when systemic problems are identified. Finally, many unfortunate, and sometimes tragic and potentially costly situations – including litigation and judicial findings of responsibility – will be averted by more accessible information and better service.

UN Convention on the Rights of the Child

The Office of the Ombudsman, Children's Section adheres to the model provided by the UN Convention on the Rights of the Child. All complaints are categorized according to the rights delineated in the Convention enabling Field Officers to track matters of concern according to international standards.

The UN Convention on the Rights of the Child (CRC) is an international legal document that sets minimum standards for the civil, political, economic, social, and cultural rights of children. Forty-two countries participated in the UN Working Group that took 10 years to draft the Convention.

Canada became a States Party to the Convention by ratifying it in 1991. Article 4 of the CRC states: Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation.

Signatory governments are obligated to introduce the measures needed to turn CRC principles into practical realities.

The 10th Anniversary of the United Nations' Convention on the Rights of the Child was marked in 1999. The convention is more than simply words on a page. It is the means through which we honour, value, and appreciate our children.

Statistics

Assessments & Investigations (Traditional Section)

Statistics from April 1, 2001 - March 31, 2002	
Total Assessments received from April 1, 2001-March 31, 2002	
Provincial, municipal government department or agency assessments	739
Individuals referred to appropriate agencies (federal, private or isssue unknown)	424
Total	**1163**
Investigations	
Closed during April 1, 2001-March 31, 2002	45
Opened during April 1, 2001-March 31, 2002	29
Investigations worked on during April 1, 2001-March 31, 2002	66
Presentations	
Presentation–Canadian Ombudsman Conference, PQ	1
Presentation to provincial department	1
Presentation to community college	1

Statistics from April 1, 2002 - March 31, 2003	
Total Assessments received from April 1, 2002-March 31, 2003	
Provincial, municipal government department or agency assessments	845
Individuals referred to appropriate agencies (federal, private or isssue unknown)	572
Total	**1417**
Investigations	
Closed during April 1, 2002-March 31, 2003	25
Opened during April 1, 2002-March 31, 2003	25
Investigations worked on during April 1, 2002-March 31, 2003	47
Presentations	
Presentations to provincial departments/agencies	6
Presentations to municipal departments/agencies	3

Children's Section Statistics

Statistics from April 1, 2001 - March 31, 2002	
Children in protective care or custody who contacted the Children's Section with complaints regarding designated services and programs under both Provincial and Municipal legislation	
Total	**819**
Breakdown of Total Complaints from youth in custody of Department of Justice	782
Complaints from youth in care of Department of Community Services	24
Complaints from youth in Courts	2
Complaints from youth in RCMP holding cells	0
Complaints from youth in Municipal holding cells	2
Complaints from released youth	9
Staff complaints from protective child care or custody	11
Formal investigations with Final Reports & Recommendations	0
Formal visits in youth correctional facilities	26
Information sessions in youth correctional facilities (reaching 207 new admissions)	115
Municipal Police information sessions	14
RCMP information sessions	18
Focus groups	1
External presentations/speaking engagements	25
Right Way Training Sessions*	5

*new process – began summer 2001

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Right Way Training Sessions*	5

Children's Section Statistics (cont'd)

Statistics from April 1, 2002 - March 31, 2003	
I. Complaints Resolution	
Department of Justice	
Complaints from youth in correctional facilities	555
Complaints from staff	11
Complaints from youth in Municipal holding cells	6
Complaints from youth in RCMP holding cells	2
Complaints from released youth	5
Complaints from youth in Courts	2
Total Justice Complaints	**581**
Department of Community Services	
Complaints from youth in care of Community Services	19
Complaints from Social Workers	8
Complaints from Residential Child Caring Facility Staff	1
Total Community Services Complaints	**28**
Complaints regarding other Provincial/Municipal Youth Services	
Total Other Complaints	**4**
Total Complaints Received	**613**
Formal Investigations and Formal Reviews, opened	13
Formal Investigations and Formal Reviews, closed	7
Total	**13**
II. Proactive Process	
Formal visitations in youth correctional facilities	26
Information sessions in youth correctional facilities (reaching 209 new admissions)	85
Formal presentations to RCMP	17
External presentations/speaking engagements	13

Children's Section Statistics (cont'd)

Statistics from April 1, 2002 - March 31, 2003	
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Formal visitations in youth correctional facilities	26
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When questions about administrative fairness arise — including the concerns of youth in the care and custody of municipal and provincial governments — they are addressed through an independent, objective review by the Ombudsman's Office.

Nova Scotia Office of the Ombudsman